

1 IN THE UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF TEXAS
3 BROWNSVILLE DIVISION

4 ASARCO LLC AND SOUTHERN PERU)
5 HOLDINGS CORPORATION)
6 VS.) CIVIL ACTION NO.
7 AMERICAS MINING CORPORATION) B-07-018
8)
9)

10 MOTION HEARING
11 BEFORE THE HONORABLE ANDREW S. HANEN
12 JUNE 6, 2007

13 APPEARANCES:

14 For the Plaintiff:

15 MR. G. IRVIN TERRELL
16 MR. MICHAEL C. MASSENGALE
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21 For the Plaintiff:

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6 For the Defendant: MR. CHARLES A. BECKHAM, JR.
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16 For the Future Claims MR. JOHN H. TATE, II
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1 THE COURT: Go ahead.

2 MR. DESPINS: This is Luc Despins with Milbank. Just to
3 put this in context, I want to be sure Your Honor knows, the
4 54.2 percent of the stock is probably worth about 8 billion plus
5 today. So if they win the -- you know, I think it's pretty
6 clear that there would be more than enough money to pay
7 creditors, you know, twice over. So I want to make sure you
8 have that in the context of this issue.

9 THE COURT: Okay. Here's what I want you to do. I want
10 you to produce the documents that you were going to produce with
11 regard to this transaction. I want you to produce a record^d of
12 all the dividends or any other compensation. By that, I'm
13 talking like stock splits or something -- you know, anything
14 related to the ownership of the stock.

15 MR. STONE: Sure. Which is all public; but, yes, we'll
16 produce it.

17 THE COURT: And with regard to anything in the future
18 that may come up, I'll consider another request if there's
19 something later on that leads us to believe there was any
20 hanky-panky or reason to go over it. But right now beyond that,
21 I'm denying your request, Mr. Terrell.

22 MR. STONE: Thank you, Your Honor.

23 MR. TERRELL: That's fine, Your Honor. We can do that
24 by 30(b)(6).

25 THE COURT: Okay.